

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LESLIE PAUL HOWARTH,	:
Plaintiff	:
v.	: Civil Action No. 05-11J
WINDBER MEDICAL CENTER	:
and CONEMAUGH HEALTH SYSTEM,	:
Defendants	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 20, 2005, docket no. 13, recommending that defendant Conemaugh Health System's motion to dismiss, docket no. 5, be granted.

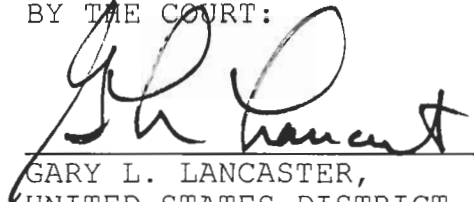
The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. No objections have been filed, and the time to do so has expired.

After review of the record of this matter, together with the Report and Recommendation, and noting the lack of timely objections thereto, the following order is entered:

AND NOW, this 20th day of August, 2005, it is

ORDERED that defendant Conemaugh Health System's motion to dismiss is granted. The Report and Recommendation is adopted as the opinion of the Court.

BY THE COURT:


GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

cc:

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